

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF CALIFORNIA

Case number (if known)

Chapter

11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Don Ramon's Real Estate LLC**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) **48-1287157**

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

**225 11th Street
San Francisco, CA 94103**

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

San Francisco
County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

7. Describe debtor's business

A. Check one:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))☐ Railroad (as defined in 11 U.S.C. § 101(44))☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))☒ None of the above

B. Check all that apply

☐ Tax-exempt entity (as described in 26 U.S.C. §501)☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check one:

☐ Chapter 7☐ Chapter 9☒ Chapter 11. Check all that apply:

☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B). See Attachment "A."☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).☐ A plan is being filed with this petition.☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

☒ No.☐ Yes.

District When Case number
District When Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No☐ Yes.

Debtor Don Ramon's Real Estate LLC Case number (if known) _____
Name

List all cases. If more than 1,
attach a separate list

Debtor _____ Relationship _____
District _____ When _____ Case number, if known _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **March 10, 2021**
MM / DD / YYYY

X /s/ Leonila Ramirez
Signature of authorized representative of debtor

Title **Manager**

Leonila Ramirez
Printed name

18. Signature of attorney

X /s/ Gregory A. Rougeau
Signature of attorney for debtor

Date **March 10, 2021**
MM / DD / YYYY

Gregory A. Rougeau 194437
Printed name

Brunetti Rougeau LLP
Firm name

**235 Montgomery Street, Suite 410
San Francisco, CA 94104**
Number, Street, City, State & ZIP Code

Contact phone **(415) 992-8940** Email address **groupeau@brlawssf.com**

194437 CA
Bar number and State

IN RE DON RAMON'S REAL ESTATE LLC
ATTACHMENT TO VOLUNTARY PETITION

The Debtor is a debtor as defined in 11 U.S.C. § 1182(1), in that its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11.

The Debtor is a wholly owned LLC, the Debtor is a disregarded entity for tax purposes. Its financial statements are consolidated with a corporation, Don Ramon's Mexican Restaurant, Inc., also wholly owned by Leonila Ramirez.

Attached hereto are the most current financial statements, and portions of the Ms. Ramirez's tax returns, that reflect the operations of the Debtor and Don Ramon's Mexican Restaurant, Inc.

1:38 PM
01/18/21
Cash Basis

DON RAMON'S
Balance Sheet
As of December 31, 2020

	Dec 31, 20
ASSETS	
Current Assets	
Checking/Savings	
Bank of America #9625	35,825.35
Cash on Hand / Paid Out	5,665.31
Wells Fargo (BOEQ) #6838	945.86
Total Checking/Savings	42,436.52
Accounts Receivable	
Accounts Receivable	4,231.10
Total Accounts Receivable	4,231.10
Other Current Assets	
Inventory	
Food	3,086.58
Inventory - Other	10,200.00
Total Inventory	13,286.58
Undeposited Funds	-319.19
Total Other Current Assets	12,967.39
Total Current Assets	59,635.01
Fixed Assets	
Accum Depr - Rest. Furn/Equip	-711,158.40
Building	5,292,000.00
Building Improvements	97,834.00
Land	50,935.00
Rest.Furn/Equip Purchased 2003	16,464.50
Restaurant Furniture/Equipment	629,349.71
Total Fixed Assets	5,375,424.81
Other Assets	
Deposit-PG & E	802.27
Due from Don Ramons Real Estate	20.00
Liquor License	61,907.19
Security Deposit State Board	7,500.00

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01/18/21
Cash Basis

DON RAMON'S
Balance Sheet
As of December 31, 2020

	Dec 31, 20
Vendor Deposits	
Security Deposit POS System	1,440.00
Vendor Deposits - Other	150.00
Total Vendor Deposits	1,590.00
Total Other Assets	71,819.46
TOTAL ASSETS	5,506,879.28
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Equipment Purchase	-1,951.64
Gratuity Payable	12,950.75
Loan from SBA-PPP	60,000.00
Notes Payable Ricardo Valdez	15,000.00
Payroll Tax Payable	
City of SF Payroll Liability	-5,794.41
Federal	
940	1,436.88
941	-9,086.93
Federal - Other	-24,066.74
Total Federal	-31,716.79
State	
DE9 - ETT	2,993.92
DE9 - SUI	17,833.35
SDI	-2,788.91
State Withholding	-15,819.92
Total State	2,218.44
Total Payroll Tax Payable	-35,292.76
Personal loan from Lee Ramirez	83,410.00
Personal Loans Payable	
Loan - Rico Valdez	2,400.00
Loan - Bryan H	10,000.00
Loan - Carmella	9,516.86
Loan - Jason	45,000.00
Loan - V. Cantillon	9,990.51
Loan - Ciavarelli	10,000.00
Loan Curtis Wong	5,000.00
Loan from Kevin	9,800.00
Loan From Nati Ramirez	40,200.00

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Cash Basis

DON RAMON'S
Balance Sheet
As of December 31, 2020

	Dec 31, 20
Loan Payable John Newlin	24,330.16
Temp Loan From Lucy	1,623.00
Total Personal Loans Payable	167,860.53
Property Tax Payable	5,758.12
Sales Tax Payable	-950.65
Sales Tax Payable A	4,919.56
Total Other Current Liabilities	311,703.91
Total Current Liabilities	311,703.91
Long Term Liabilities	
Loan from SBA-EIDL	159,900.00
Notes Payable - Mortgage	5,250,000.00
Security Deposit - Tenant	2,500.00
Total Long Term Liabilities	5,412,400.00
Total Liabilities	5,724,103.91
Equity	
Prior Period Adjustments	33,376.61
Retained Earnings	24,169.54
Net Income	-274,770.78
Total Equity	-217,224.63
TOTAL LIABILITIES & EQUITY	5,506,879.28

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Cash Basis

DON RAMON'S
Profit & Loss
January through December 2020

	Jan - Dec 20
Ordinary Income/Expense	
Income	
Fund-Raising	31,132.03
Rental Income (Real Estate)	13,800.00
Sales	
Bar- Dinner	12,687.50
Bar- Lunch	2,127.90
Dinner	378,726.07
Food-Party	28,289.40
Lunch	35,044.30
Total Sales	456,875.17
Total Income	501,807.20
Cost of Goods Sold	
Cost of Goods Sold	
Beverage	1,089.61
Food	50,882.53
Food Products	79,122.23
Liquor/Beer/Wine	29,778.42
Meat/Poultry	7,312.89
Produce	16,984.31
Seafood	6,210.42
Tortillas	16,450.68
Total Cost of Goods Sold	207,831.09
Total COGS	207,831.09
Gross Profit	293,976.11
Expense	
Advertising	686.73
Automobile Expense	
DMV Renewal	419.00
Gas,/Pkg./Tolls	8,976.32
Repairs & Maintenance	200.73
Automobile Expense - Other	2,198.18
Total Automobile Expense	11,794.23
Bank Service Charges	
Checks	461.77
Merchant Card Fees	7,554.65
Monthly Service Charges	56.00
NSF Fees	630.00
Total Bank Service Charges	8,702.42

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Cash Basis

DON RAMON'S
Profit & Loss
January through December 2020

	Jan - Dec 20
Building Maintenance & Repairs	
Equip Maintenance & Repairs	10,191.59
Maintenance & Repairs	13,095.96
Pest Control	150.00
Total Building Maintenance & Repairs	23,437.55
Depreciation Expense	59,998.00
Donations / Contributions	1,956.00
Entertaining Outside Meals	7,309.72
Equipment Rental	9,129.36
Flowers & Decorations	763.62
Information Technology	86.95
Insurance	
Business	18,658.44
Personal	17,542.90
Work's Compensation	5,097.10
Total Insurance	41,298.44
Interest Expense	61,470.00
Janitorial Expenses	6,350.00
Kitchen Expenses	23.17
Labor (Casual)	4,165.26
Laundry & Linen	3,728.39
Licenses and Permits	
Compliance-State	675.00
Liquor License Renewal	1,465.00
Total Licenses and Permits	2,140.00
Office / Admin Expenses	
Office Expenses	1,038.56
Office Supplies	4,442.31
Postage and Delivery	483.96
Printing and Reproduction	1,692.61
Total Office / Admin Expenses	7,657.44
Operating Expenses	
Fixed Operating Expenses	
Security/Alarm Service	726.00
Total Fixed Operating Expenses	726.00
Total Operating Expenses	726.00

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01/18/21

Cash Basis

DON RAMON'S
Profit & Loss
January through December 2020

	Jan - Dec 20
Professional Fees	
Accounting / Bookkeeping	3,525.00
Appraisal	10,000.00
Business Consultant	5,730.50
Legal Fees	3,300.00
Total Professional Fees	22,555.50
Restaurant Supplies	
Supplies	
Bar Supplies	269.01
Kitchen Supplies	3,439.05
Restaurant Supplies	19,428.38
Total Supplies	23,136.44
TBD	1,700.00
Restaurant Supplies - Other	67.45
Total Restaurant Supplies	24,903.89
Salaries and Wages	
Medical/Dental Expenses	1,191.00
Net Pay	197,015.31
Payroll Fees	6,667.72
Payroll Taxes	
Federal Payroll Tax	3,324.14
State Payroll Tax	712.37
Total Payroll Taxes	4,036.51
Total Salaries and Wages	208,910.54
Selling Expenses	
Promotions	495.00
Total Selling Expenses	495.00
Taxes	
Sales Tax	15,000.00
Total Taxes	15,000.00
Telephone	2,370.85
Tips	4,004.78

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01/18/21

Cash Basis

DON RAMON'S
Profit & Loss
January through December 2020

	Jan - Dec 20
Utilities	
Cable Expenses	6,897.98
Garbage	7,955.47
Gas & Electric	19,564.25
Water	4,665.35
Total Utilities	39,083.05
Total Expense	568,746.89
Net Ordinary Income	-274,770.78
Net Income	-274,770.78

Two-Year Comparison

2019

Name(s) Shown on Return

LEONILA RAMIREZ

Social Security Number

Income	2018	2019	Difference	%
Wages, salaries, tips, etc				
Interest and dividend income				
State tax refund				
Business income (loss)		-168,294.	-168,294.	
Capital and other gains (losses)				
IRA distributions				
Pensions and annuities		0.	0.	
Rents and royalties		26,131.	26,131.	
Partnerships, S Corps, etc				
Farm income (loss)				
Social security benefits		0.	0.	
Income other than the above		-460,096.	-460,096.	
Total Income		-602,259.	-602,259.	
Adjustments to Income				
Adjusted Gross Income		-602,259.	-602,259.	
Itemized Deductions				
Medical and dental		1,626.	1,626.	
Income or sales tax				
Real estate taxes				
Personal property and other taxes				
Interest paid				
Gifts to charity				
Casualty and theft losses				
Miscellaneous				
Total Itemized Deductions	0.	1,626.	1,626.	
Standard or Itemized Deduction		13,500.	13,500.	
Qualified Business Income Deduction		0.	0.	
Taxable Income		0.	0.	
Income tax		0.	0.	
Additional income taxes				
Alternative minimum tax				
Total Income Taxes		0.	0.	
Nonbusiness credits				
Business credits				
Total Credits				
Self-employment tax				
Other taxes				
Total Tax After Credits		0.	0.	
Withholding				
Estimated and extension payments				
Earned income credit				
Additional child tax credit				
Other payments				
Total Payments				
Form 2210 penalty				
Applied to next year's estimated tax				
Refund				
Balance Due		0.	0.	

Current year effective tax rate 0.00 %

LLC RESOLUTION

A meeting of the Members of DON RAMON'S REAL ESTATE LLC (the "LLC") was held on March 10, 2021. After a discussion, upon motion duly made carried, the following resolutions were adopted:

WHEREAS, the LLC is in serious financial condition and is unable to continue without debt relief; and

WHEREAS, it appears to the LLC's Members that it is in the best interests of the LLC, its Members, and creditors, to commence a case under Chapter 11 of Title 11, United States Bankruptcy Code (the "Bankruptcy Code");

NOW, THEREFORE, be it hereby resolved, that the Members find and determine that it is in the best interest of the LLC, its Members, and creditors, for it to commence a case under Chapter 11 of the Bankruptcy Code;

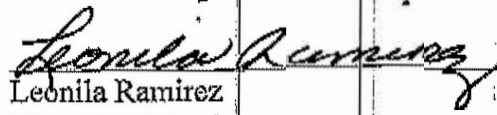
BE IT FURTHER RESOLVED that the Members and agents of the LLC be, and each of them hereby is, empowered and directed without further action to prepare, sign and file, or cause to be prepared, signed and filed, a petition for the commencement of a case under Chapter 11 of the Bankruptcy Code, in the United States Bankruptcy Court for the Northern District of California;

BE IT FURTHER RESOLVED that Leonila Ramirez, Managing Member of the LLC, is designated and authorized to act as the "Authorized Individual" for the signing of the Chapter 11 Voluntary Petition and as the LLC's "Responsible Individual" as may be required by the Local Bankruptcy Rules for the Northern District of California, and

BE IT FURTHER RESOLVED that the Members and agents of the LLC are authorized, empowered and directed to retain the Law Firm of Brunetti Rougeau LLP, to commence the

aforementioned Chapter 11 case, and to do all things, and to prepare, sign and file all papers or documents necessary or proper to the commencement of said Chapter 11 case; Brunetti Rougeau is authorized to take such actions in the bankruptcy case which Brunetti Rougeau, in its discretion, concludes are necessary to Brunetti Rougeau's and/or the LLC's fulfillment of its fiduciary obligations in the bankruptcy case.

BE IT FURTHER RESOLVED that this LLC Resolution and its terms hereunder shall remain in effect unless otherwise agreed upon or amended by the Members.


Leonila Ramirez
Managing Member

**United States Bankruptcy Court
Northern District of California**

In re **Don Ramon's Real Estate LLC**

Debtor(s)

Case No.
Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Leonila Ramirez 826 Paloma Avenue Oakland, CA 94610	100% Equity (Sole Member/Mgr.)		

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Manager** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **March 10, 2021**

Signature **/s/ Leonila Ramirez
Leonila Ramirez**

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*